

## Curriculum Vitae of Kenneth E. Rusk

### Railroad Consultant

10 Valarian Terrace  
Crossville, TN 38558  
Telephone (540) 622-3711  
kenneth.rusk.consulting@gmail.com

## **PROFESSIONAL EXPERIENCE:**

### **DENNIN, RUSK & ASSOCIATES, LLC**

Vice President

July, 2016 – Present

Dennin, Rusk & Associates (DR&A) has an FRA approved Track Training and On-The-Job (OJT) training program that satisfies the FRA 49 CFR Part 243 requirements for track training and is presently writing those for railroads and on their behalf, submitting them to FRA for approval. DR&A will also work with railroads to develop the FRA required Recurrency Training and submit that to FRA for approval. For railroads that are interested, DR&A will also work in the field with railroad track personnel to administer the OJT Training Standards on behalf of the railroad. DR&A has a cadre of former FRA Track experts available to provide FRA Track Safety Standards training both in the classroom and provide on-the-job training. DR&A also conducts confidential internal track audits.

### **KENNETH RUSK & ASSOCIATES, LLC**

Principal

March, 2016 – Present

Committed safety professional using over 42 years of railroad safety oversight, maintenance and construction experience to promote track and employee on-track safety. Extensive experience in regulatory rulemaking, origination through development and final issuance, coupled with numerous safety audits, accident investigations, safety training and industry presentations, provide a unique insight into railroad industry's track safety issues. Provide services as a consulting and/or testifying expert in railroad track safety and the application of Federal Railroad Administration regulations, specializing in 49 CFR Part 213 Track Safety Standards, and 49 CFR Part 214 Railroad Workplace Safety. Provide training in railroad safety, maintenance of way rules, and Federal Railroad Administration regulations. Provide confidential track safety audits. Provide technical consulting support from accident/incident response through case analysis and report preparation including consulting and/or testifying expert witness services.

**FEDERAL RAILROAD ADMINISTRATION**

October 1994 – March 2016

October, 2005 – March, 2016

USDOT West Building  
Washington, DC 20590

**Staff Director, Track Division, GS-2121-15**

Manage FRA's national Track Division.

Responsible for continuously monitoring the federal Track Safety Standards and Railroad Workplace Safety regulations to ensure they appropriately address the current industry safety issues, propose new regulations to FRA administrator when appropriate, and facilitate track rulemaking through the FRA's Railroad Safety Advisory Committee process.

Responsible for the appropriate interpretation and consistent application of the regulations by the agency's field inspectors and industry. When needed, I was responsible for the preparation and distribution of FRA Track Technical Bulletins to provide additional guidance for field inspectors and industry. Represented FRA as an expert in formal hearings on the application of the agency's track rules and regulations, and in informal public interviews on track issues. Review inspection and accident data to determine issues and trends. Based on the safety issue identified, I was responsible for the preparation of a Safety Advisory to inform the industry of the safety issue and advise it of recommended actions. Managed and directed the creation and presentation of numerous presentations to government leaders, agency and industry national groups to promote consistent rules understanding and application. Responsible to organize, manage and facilitate agency-wide bi-annual discipline conferences, workshops, and other methods to provide inspector training to promote consistent knowledge and application of the regulations.

Responsible for investigation of industry requests for waivers from applicable regulations, and directing and preparing staff recommendations to the FRA Safety Board for consideration.

Managed the FRA automated inspection fleet, consisting of seven cars. Responsible for the scheduling, operation, maintenance, and production of the cars. Ensured that the data generated was accurate, and appropriate action by the industry and FRA inspectors was timely.

August, 2002 – September, 2005

Atlanta Federal Center  
Atlanta, GA

**Deputy Region Administrator, GS-2121-14**

Provide leadership and direction to about 30 FRA Track, Signal & Train Control, Hazardous materials Inspectors, and Highway Crossing staff in eight southeastern states. Plans, directs and evaluates Regional safety programs. Supervised the implementation of national and regional enforcement policies and programs to determine railroad carrier compliance with Federal safety laws, regulation, and standards. Supervised regional accident investigations, special investigations and studies, waivers, violation and complaint investigations. Supervised regional activities in support of FRA's policies and programs designed to encourage constituency participation and responsiveness to customers and to address labor-management issues.

February, 1998 - August, 2002

Atlanta Federal Center  
Atlanta, GA

**Railroad Safety Specialist (Track), GS-2121-13**

Responsible for the technical interpretations of the Track Safety Standards and Railroad Workplace Safety regulations within the region. As the regional track expert, ensured uniform and consistent application of railroad safety laws, standards, and regulations. Represented the region on Technical Resolution Committees to resolve issues with the application of the Track Safety Standards. Provide leadership and direction to Inspectors and trainees. Provide accurate and consistent technical guidance to internal and external customers in accordance with railroad safety laws, standards, and regulations. Initiate and provided applicable training to inspectors and industry to enhance understanding and consistent application of track regulations. Review, evaluates, and compose discipline specific reports and correspondence for the FRA's Regional Administrator. Organize and conduct projects to determine carrier compliance utilizing regional and agency resources efficiently.

October, 1994 - February, 1998

Bishop Henry Whipple Federal Building  
Ft. Snelling, MN

**Railroad Safety Inspector (Track), GS-2121-12**

Led and coordinated the investigation of major railroad accidents and incidents to determine probable cause. Investigate complaints from the general public and railroad employees to recommend and/or institute a course of action to resolve the complaint. Conduct track inspections to determine compliance with regulations for various classes of track and detect safety hazards. Provided training for railroad employees regarding proper inspection and maintenance procedures for track. Conducted training of newly hired FRA inspectors and state inspectors; provided evaluations for senior regional managers.

**ILLINOIS COMMERCE COMMISSION**

January, 1989 - October, 1994

527 East Capitol Ave.

Springfield, IL 62794

**Railroad Safety Specialist**

Conduct track inspections to determine compliance with FRA Track Safety Standards. Conduct investigations concerning highway/railroad crossing safety and compliance with Illinois State statutes. Conducted bridge inspections and coordinate improvements deemed necessary with the various railroads, local agencies, and Illinois Department of Transportation. Improvements may consist of simple repairs, the installation of warning devices, or the construction or reconstruction of grade separation structures utilizing formal or informal procedures.

**MERIDIAN PUBLIC SCHOOL SYSTEM**

May, 1988 - January, 1989

Meridian, MS

**Secondary School JTPA Instructor**

Responsible for teaching, mentoring and monitoring students who were considered at-risk of dropping out of school. Teaching curriculum included remedial subjects, including Math and English. Taught various skills needed to find and retain a job, including resume preparation, interviewing techniques, punctuality, dependability, appearance. Responsible for monitoring students regular class attendance and performance. Placed students in positions in the local business community that participated in the JTPA program, as well as recruit additional positions from local companies for future students.

**GULF & MISSISSIPPI RAILROAD**

July, 1985 - December 1987

Columbus, MS

**Field Engineer**

Responsible for all engineering for the railroad, including track design and field layout. Responsible for bridge inspection and repair, including formulating company policy for bridge department. Managed physical plant, including maintaining physical plant inventory, leasing Right of Way, Track, and Mineral Rights. Supervised company contract section, assisted local public agencies in Industrial Development requiring rail service.

## **ILLINOIS CENTRAL GULF RAILROAD**

January, 1975 - July, 1985

233 N. Michigan Ave.  
Chicago, IL 60601

### **Project Manager,**

Hazel Crest, IL

Responsible for managing several IC Commuter line projects, including station reconstructions. Responsible for ensuring work complies with contract specifications and building codes, coordinating contractor activities for efficient productivity, and communicating project progress to upper management.

### **Bridge Inspector,**

Hazel Crest, IL

Responsible for annual inspection of Timber, Concrete, and Steel Bridges on the Division, determining the required repairs and recommendations for future renewals.

### **Track Supervisor**

Union, MS; Jackson, TN; Louisville, KY; Meridian, MS

Responsible for maintaining the track to company and Federal standards for safe movement of trains. Supervise all track forces for maintenance and capital production work. Plan, schedule, and coordinate work for track with other departments to insure maximum productivity. Monitor inventory levels for all track related items.

### **Assistant Planning and Scheduling Supervisor**

Jackson, MS

Monitor daily manpower and material charges, compiling information for monthly, quarterly, and yearly expenditure records. Assist in formulating budget request.

### **Project Engineer R/W**

Meridian, MS

Review property plats and determine encroachments. Locate and contact encroachers, handling for lease or removal of encroachment.

### **Designer - Roadway**

Meridian, MS

Entry level position. Responsible for track design and layout, including drafting and surveying.

## EDUCATION

High School Diploma, SOUTH NEWTON H.S., Kentland, IN, May 1970.

B.S. in Construction Technology, PURDUE UNIVERSITY, January 1975.

Teaching Certificate, Mathematics, Secondary Education, State of Mississippi, May 1988.

Fellows, Council for Excellence in Government, September 2005.

## PROFESSIONAL TRAINING

Synthesizing Regulation and Problem Solving to Further the FRA's Mission; Harvard Kennedy School in September 2009.

Making Safety Programs and R&D More Effective: Using Logic Models and Evaluation to Support Data-informed Decisions in February 2009.

Leadership for a Democratic Society; Federal Executive Institute in Charlotte, VA in June 2008.

Heavy Haul Seminar; Wheel/Rail Interaction in April 2007. The Seminar examines wheel/rail and vehicle/track interaction on heavy freight and shared-track passenger systems.

Council for Excellence in Government's Fellow Program in September 2005. The Program covered Executive Core Qualifications and Leadership Competencies over a twelve-month period.

FRA Supervisory Training Program; Federal Railroad Administration in September 2004.

Coach Facilitator; Corporate Coach U in September 2004.

Budget and Performance Integration; Office of Personnel Management, Western Management Development Center in April 2004.

Leadership Assessment Program; Office of Personnel Management, Eastern Management Development Center, in July 2003.

Accident Investigation Fundamentals; Federal Railroad Administration in February 2002.

Leadership Communications Workshop: Interpersonal Communications; Office of Personnel Management, Western Management Development Center.

Steel Bridges; Federal Railroad Administration in August 2000.

Managing Project Teams; Office of Personnel Management, Western Management Development Center, in June 2000.

High Speed Rail, Class 2; Federal Railroad Administration in June 2000.

Timber Bridges; Federal Railroad Administration in September 1999.

Clear Writing through Clear Thinking; USDA Graduate School, Atlanta GA, in August 1999.

Basic Investigative Skills Training; Federal Railroad Administration in August 1999.

Advanced Briefing Techniques; USDA Graduate School, Atlanta, GA, in May 1999.

High Speed Track; Federal Railroad Administration in February 1999.

Workforce Diversity; Federal Railroad Administration in January 1999.

Facilitator Training; BNSF, Overland Park, KS in January 1999.

OneDOT Dream Team; Department of Transportation in November 1998.

Track Recurrency and GRMS Training; Federal Railroad Administration in October 1998..

Basic Track Training Program; Federal Railroad Administration in August 1997.

Roadbed and Rails, Fundamentals, Maintenance, Inspection, and Economics; Institute for Railroad Engineering, Wilmington, DE in November 1996.

Operation Lifesaver Presenter. Certified OL Presenter in August 1996.

Safety Assurance and Compliance Program; Federal Railroad Administration in June 1996.

Workforce Diversity; Federal Railroad Administration in June 1996.

Fundamentals of Railroad Bridges; Federal Railroad Administration in January 1996.

Investigative Skills; Federal Law Enforcement Training Center in June 1995.

Bridge Inspection Seminar; American Railway Bridge & Building Assn. in May 1992.

Comprehensive Bridge Safety Inspection Course; Illinois Dept. of Transportation in March 1989. Certified by IDOT and FHWA to inspect highway bridges.

Railway Engineering; Railroad Engineering Dept., University of Illinois in July 1982.

Track Maintenance Course; Illinois Central Gulf Railroad in Champaign, IL in 1980.

## ADDITIONAL QUALIFICATIONS

Directed and facilitated FRA rulemaking through the RSAC process. Final Rules that were created, including Notice of Proposed Rulemaking, are:

- Track Safety Standards; Inspection of Joints in Continuous Welded Rail (CWR) (October 2006)
- Track Safety Standards; Continuous Welded Rail (CWR) (August 2009)
- Track Safety Standards; Concrete Crosstie (April 2011)
- Railroad Workplace Safety; Adjacent-Track On-Track Safety for Roadway Workers (November 2011) (January 2014)
- Vehicle/Track Interaction Safety Standards; High-Speed and High Cant Deficiency Operations (July 2013)

- Railroad Workplace Safety; Roadway Worker Protection Miscellaneous Revisions (NPRM August 2012)
- RSAC Track Inspection Task creation (2015)

Directed and oversaw the maintenance of the FRA's Track and Rail and Structure Infrastructure Integrity Compliance Manual. I supervised the development of inspector guidance for new regulations to be included in the Manual. I identified developing compliance or application issues and supervised updating the Manual as necessary to provide the necessary inspector guidance to address the concerns. Technical Bulletins were issued to provide additional guidance to FRA inspectors on appropriate application of the Part 213 Track Safety Standards, Part 214 Railroad Workplace Safety. The Manual is viewed by the railroad industry as the defining document for the application of the federal Track Safety Standards.

Responsible to recognize safety issues involving maintenance-of-way employees and track structure. I directed and supervised the preparation of FRA Safety Advisory to the industry to recommend actions to remediate the safety issues.

Responsible for supervising and directing investigations of industry requests for waivers from regulatory requirements. I supervised the development of recommended technical positions to the FRA Safety Board for consideration.

Responsible for organizing and managing FRA's bi-annual national track conferences. Initiated and supervised the preparation of training presentations to be presented to all FRA and state track inspectors to increase their knowledge and promote proper application of the Track Safety Standards.

Responsible for determining track issues to be trained in the FRA's inspector training program. Coordinated with the agency training staff to create a comprehensive program to address agency needs to ensure consistent rule knowledge and application

Acknowledged by the industry as a technical expert and requested to address national track related conferences on issues of concern. These conferences included the AREMA Annual Technical Conference, ASLRRA National Conferences, ASLRRA Regional Conferences, Wheel/Rail Interaction Conferences, and Transportation Research Board Annual Conferences. I created and presented technical presentations, and expertly represented the FRA on panel discussions. I was also responsible for developing and presenting track safety presentations to international government and industry officials.

Organized and facilitated Senior Engineering Management meetings with Class 1 railroads. The meetings with senior railroad engineering management allowed FRA Track Division to discuss and resolve safety and compliance issues, recent carrier maintenance and compliance activities, and future issues.

Organized and managed the creation of the FRA's Fatality Analysis of Maintenance of way Employees and Signalmen (FAMES). FAMES's purpose is to analyze roadway worker related fatalities and identify common characteristics that might be used as teaching points, lessons learned or recommended practices. Continued to serve as an advisory member and assisted in the creation of numerous industry recommended practices.

Appointed Agency Representative on the South Florida Rail Corridor Safety Committee in 2004. The Committee is composed of parties, including South Florida Regional Transit Authority, Florida DOT, CSX, HTSI, and Tri-County Rail Contractors, involved in the double tracking construction project from West Palm Beach to Miami. I was selected to manage the region's activities on the project following multiple safety incidents on the corridor project. I oversaw the production and execution of the Safety Integration Plan by the parties, and the institution of the Joint Safety Observation Plan.

Kenneth Rusk  
& Associates, LLC

June 20, 2017



Appointed Track Team Leader - Track for the Atlanta Terminal Project in February 2000. Responsible for coordination and managing investigations by four FRA and one State Inspector on two Class 1 carriers operating in the Atlanta Terminal. Responsible for consolidating and analyzing gathered information, advising Project Management, carrier management, and Labor representatives of investigation progress. Responsible for preparing report containing identified track related safety concerns and recommended remedial action. Conducted meetings with the various carrier representatives to determine remedial action plans.

Appointed Track Team Leader - Track for the Memphis Terminal Project in April 1999. Responsible for coordination and managing investigations by five FRA and two State Inspectors on five Class 1 carriers operating in the Memphis Terminal. Responsible for consolidating and analyzing gathered information, advising Project Management, carrier management, and Labor representatives of investigation progress. Responsible for preparing report containing identified track related safety concerns and recommended remedial action. Conducted meetings with the various carrier representatives to determine remedial action plans resulting in a reduction in track cause accidents over the next 12 months.

Appointed to Bridge Team for the CSXT SACP in September 1997. Responsible for providing updates and communication between FRA, CSX and Labor Team Members, coordinating schedules for field observations in the nine Bridge Districts, conducting field observations of bridge inspections and reviewing of office procedures for recording and monitoring bridge inspections.

Appointed System Team Leader - Track for the CSXT SACP in July 1997. Responsible for coordinating and managing investigations by 3 Track Specialists and 20 FRA and State inspectors in four Regions. Responsible for consolidating and analyzing gathered information, advising Project Management, CSX Management, and Labor representatives of investigation progress. Responsible for preparing report containing identified track related safety concerns and recommended remedial action.

Appointed Regional Team Leader - Track for the SOO Line SACP in April 1997. Responsible for coordinating investigations by three Region 4 inspectors, conducting meetings with Labor officials, consolidating and presenting gathered information to System Team Leader, analyzing and proposing safety concerns to System Team Leader.

Appointed System Team Leader - Track for the Wisconsin Central, LTD SACP in April 1996. Responsible for coordinating investigations by three inspectors, consolidating and analyzing gathered information, and preparing report containing the identified track related safety concerns and recommended remedial action.

Appointed team member assigned to test the beta version of the GeoEdit software in November 1995. Responsible for conducting tests of software, analyzing test results, and making recommended improvements to Project Coordinator.

## MEMBERSHIPS

American Railway Engineering and Maintenance of Way Association  
 Current Committee 24 – Education & Training Vice Chairman  
 Committee 5 – Track  
 Past Committee 7 – Timber Bridge

## AWARDS

2001 Special Act Award  
 For developing and initiating Short Line Bridge Audits

1999 Certificate of Appreciation  
 For contributions to the 1999 Community Building Forum and having a positive impact on pedestrian safety in Atlanta. Presented by Carolyn Blum, FAA Regional Administrator.

1998 Secretary’s Team Award  
 The CSX Safety Assurance and Compliance Program Leadership Team is honored for their efforts to refocus the carrier’s attention on safety and for improving the working environment for the carrier’s employees.

1997 Administrator’s Team Award  
 For ensuring full compliance of the Wisconsin Central Railroad with federal safety regulations according to the Safety Compliance Agreement.

1996 Administrator’s Team Award  
 For exemplary service to the Federal Railroad Administration while serving on the Weyauwega, WI Accident Response and Investigation Team.

1995 Administrator’s Team Award  
 For exemplary performance and contributions made to the agency while serving as a member of the Federal Railroad Administration Bridge Worker Safety Audit Team.

1995 Administrator’s Customer Service Award  
 For outstanding performance and contributions made to the Federal Railroad Administration while working in partnership with the Bureau of Mines to resolve unique railroad noise vibration complaints.

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